



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

February 25, 2016

To: Governor's Office, Sheena Wilson, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:
 Director's Office Parks Division Lands Section
 FWP Commissioners Fisheries Division Legal Unit
 Wildlife Division Design & Construction
MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Jack Jones, 3014 Irene St., Butte, MT 59701

Ladies and Gentlemen,

The enclosed Decision Notice has been prepared for the Toston Fishing Access Site Proposed Right-of-Way Conveyance of approximately 1.1 acres of the FAS to the Montana Department of Transportation for the purpose of realigning the existing highway bridge over the Missouri River.

FWP received one (1) comment regarding the proposed action during the 30-day public comment period; this single comment supported the proposal.

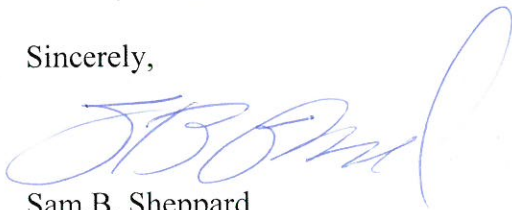
Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with the Preferred Alternative action as described in the Toston Fishing Access Site Proposed Right-of-Way Conveyance Draft Environmental Assessment, which is to convey the 1.1 acres of land to MDT through the transaction described in this Environmental Assessment.

Questions regarding this Decision Notice should be directed to:

Ray Heagney
Fishing Access Site Manager
1400 S 19th Ave
Bozeman, MT 59718
406-994-6987
Or emailed to : rheagney@mt.gov

Thank you for your interest.

Sincerely,

A handwritten signature in blue ink, appearing to read "SBS", with a large, sweeping loop extending from the end of the signature.

Sam B. Sheppard
Region Three Supervisor



Montana Fish, Wildlife & Parks

1400 South 19th Ave
Bozeman, MT 59718

ENVIRONMENTAL ASSESSMENT DECISION NOTICE

TOSTON FISHING ACCESS SITE PROPOSED RIGHT-OF-WAY CONVEYANCE DRAFT ENVIRONMENTAL ASSESSMENT

**Montana Fish, Wildlife & Parks
Region Three, Bozeman
February 25, 2016**

Proposed Action

Montana Fish, Wildlife and Parks (FWP) proposes to convey ownership of approximately 1.1 acre of the 4.24-acre Toston FAS to the Montana Department of Transportation (MDT). This land constitutes 24% of the fishing access site and will be used by MDT as part of the designated right of way for the realignment and construction of a new Hwy 287 bridge that crosses the Missouri River at Toston, MT. The land to be conveyed to MDT and the perimeter will be fenced, however public use of the slope down to the river will still be allowed. The boat ramp within the remaining portion of the FAS will not be affected by the conveyance of this small parcel.

MDT will compensate FWP for the fair market value of the land. An appraisal will be established with this value with the funds being deposited in FWP's real property trust account, a permanent account that generates funds for FWP land management activities.

Montana Environmental Policy Act

Montana Fish, Wildlife & Parks is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an Environmental Assessment (EA) was completed for the proposed project by FWP and released for public comment on January 11th, 2016.

Public comments on the proposed project were taken from January 11th through February 9th, 2016. The EA was mailed to 58 groups and individuals.

Summary of Public Comment

FWP received one (1) comment regarding the proposed action; the single comment supported the proposal.

Comments supporting the proposed project: one (1) total.

Example of Comment Statements Supporting the Proposal

“It is nice to see that two state agencies can work together for the benefit of the public.”


No Comment opposing the proposed project.

Decision

Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with the Preferred Alternative action as described in the Toston Fishing Access Site Proposed Right-of-Way Conveyance Draft Environmental Assessment, which is to convey the 1.1 acres of land to MDT through the transaction described in this environmental assessment.

Appeal

This project is subject to appeal, which must be submitted to the FWP Director (Mr. Jeff Hagener, Director, Montana Fish, Wildlife & Parks, PO Box 200701, Helena, MT 59620-0701) in writing and postmarked within 30 days of the date on this Decision Notice. The appeal must specifically describe the basis for the appeal, explain how the appellant has previously commented to the department or participated in the decision-making process, and lay out how FWP may address the concerns in the appeal. If you have questions regarding this Decision Notice, please contact Ray Heagney, Fishing Access Site Manager at 406-994-6987.



Sam B. Sheppard
Region Three Supervisor
